

STATE OF UTAH

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February 24, 1995

Guy L. Taylor
HC2 Box 40
DUCHESNE UT 84021

Re: 1995 Duchesne/Strawberry Distribution Schedule

Dear Guy:

It's that time of year again. Enclosed please find a copy of the State Engineer's Motion for the 1995 interim distribution schedule on the Duchesne/Strawberry River System and our cover letter to Judge Anderson.

If my memory is correct, you and I had a fairly lengthy discussion after the Court Hearing last spring in Duchesne. At that time I believe we discussed whether or not hearings before the Court on your specific protest are worth the effort. I believe we discussed the possibility of your continuing to file protests, but --unless other circumstances dictate--not seeking oral argument.

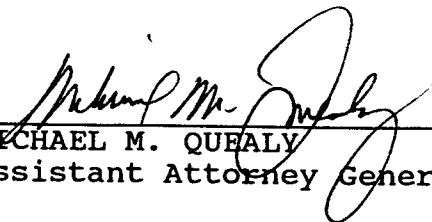
While there is no way of knowing, I believe that yours will probably be the only protest filed this year. If so, I would ask that you give consideration to our discussion after last year's hearing as to whether or not oral arguments are helpful or necessary. Clearly, I think you should file a protest if you deem that necessary to protect your claims on the record.

On the other hand, it is clearly your right and prerogative not only to file a protest but to request a hearing before Judge Anderson. I don't want anything in this letter to be construed as discouraging you from pursuing your valid legal rights, and--if you feel that you want or desire oral argument--you should certainly not hesitate to request that from the Court. I guess all I'm trying to do is determine whether we will have a hearing before the Court to argue the same issues we have for the past several years. I frankly think the Judge is tiring of hearing the same arguments over and over again.

Letter to Guy L. Taylor
February 24, 1995
PAGE TWO

If you have any other ideas or concerns, please give me a call and we can discuss them. Best personal regards.

Very truly yours,



MICHAEL M. QUEALY
Assistant Attorney General

Enclosures

cc: Robert L. Morgan, State Engineer
cc: Jerry D. Olds, Assistant State Engineer
cc: Lee Sim, Assistant State Engineer
cc: John H. Mabey, Jr., Assistant Attorney General

MMQ/jr